

MEMO ENDORSEMENT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CATHERINE BARTON AND ZACHARY ZAITZEFF,

Plaintiffs,

-against-

NORTHEAST TRANSPORT, INC. AND LAND-AIR
EXPRESS OF NEW ENGLAND, LTD.,

Defendants.

Case No.: 7:21-cv-00326-KMK

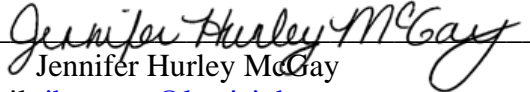
NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon defendant, NORTHEAST TRANSPORT, INC.'s ("Northeast"), accompanying Memorandum of Law in Support of Defendant Northeast Transport Inc.'s Motion to Dismiss Plaintiffs' Complaint, the Declaration of Jennifer Hurley McGay in Support of Defendant Northeast Transport Inc.'s Motion to Dismiss Plaintiffs' Complaint with annexed exhibits, and upon all of the pleadings, papers and proceedings heretofore had herein, Northeast will move this Court before the Honorable Judge Kenneth M. Karas, at the United States Courthouse at 300 Quarropas Street, White Plains, New York 10601, at a date and time designated by the Court, to dismiss plaintiffs' complaint in its entirety with prejudice pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil or, in the alternative, dismissing or striking Plaintiffs' demands for punitive and consequential damages..

PLEASE TAKE FURTHER NOTICE that opposition to this motion is due on or before June 18, 2021, and any reply is due on or before June 25, 2021.

Dated: Islandia, New York
June 4, 2021

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631.755.0101

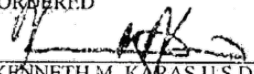
By: 
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The Motion is DENIED without
prejudice for failure to comply with the
Court's Individual Rules. The Clerk of
Court is respectfully requested to
terminate the pending motion.

White Plains, NY
June 7, 2021

SO ORDERED


KENNETH M. KARAS U.S.D.J.